

Application No. 09/663,269
Amendment filed December 30, 2003
Reply to Office Action dated September 30, 2003


Attorney Docket No. 040071-174
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the same person or subject to an obligation of assignment to the same person. The present application was filed September 18, 2000. Wallentin was filed August 22, 1997, and issued (first published) on November 28, 2000. Accordingly, Wallentin is prior art only under 35 U.S.C. § 102(e). Wallentin and the present application are both assigned to Telefonaktiebolaget LM Ericsson. Therefore, pursuant to 35 U.S.C. § 103(c), Wallentin cannot preclude the patentability of claims 1-22 presented in the present application, and the rejections should be withdrawn.

For the foregoing reasons, Applicant considers the application to be in condition for allowance and respectfully requests notice thereof at an early date. The Examiner is encouraged to telephone the undersigned at the below-listed number if, in the Examiner's opinion, such a call would aid in the examination of this application.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: 
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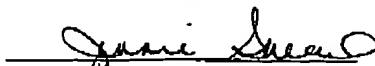
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Date: December 30, 2003

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Jennie Snead